

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE  
2005 OCT -7 P 2:40

VISION BIOSYSTEMS (USA)  
TRADING INC.,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

Civil Action No. 03-CV-10391-GAO

VENTANA MEDICAL SYSTEMS, INC.,

Plaintiff,

v.

VISION BIOSYSTEMS INC.,

Defendant.

Civil Action No. 05-CV-10614-GAO

**VISION'S MOTION FOR IMPOUNDMENT UNDER LOCAL RULE 7.2**

Pursuant to Local Rule 7.2, Vision BioSystems, Inc., formerly known as Vision BioSystems USA Trading Inc. ("Vision"), moves this Court to impound the following, which is filed herewith:

Declaration of Ross Barrow in Support of Motion for Summary Judgment and Exhibits A and B.

As grounds for this motion, Vision states that the aforementioned filings relate and/or refer to information designated Confidential by the parties under the terms of the Stipulated Protective Order. The requested impoundment should continue until sixty (60) days after the entry of final

judgment herein. Thereafter, the materials shall be returned to counsel for Vision, who shall retain them, subject to further order of the Court, for thirty (30) days after the final termination of this litigation, including any applicable appeal period.

Dated: October 7, 2005

Respectfully submitted,

By:   
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*Attorneys for Plaintiff  
Vision BioSystems Inc.*

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LOCAL RULE 7.1 CERTIFICATION

Prior to filing this motion, and in accordance with Local Rule 7.1(a)(2), Plaintiff's counsel Elizabeth A. Leff conferred with Defendant's counsel. During that conference, Defendants' counsel Roger Chin represented that Ventana assents to Vision's Motion for Impoundment under Local Rule 7.2.

Dated: October 7, 2005

Respectfully submitted,

By: 

E. Anthony Figg (admitted *pro hac vice*)

Elizabeth A. Leff (admitted *pro hac vice*)

Richard Wydeven (admitted *pro hac vice*)

Minaksi Bhatt (admitted *pro hac vice*)  
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